

**UNION TOWNSHIP – TOWNSHIP COMMITTEE
REGULAR MEETING**

JANUARY 3, 2007

MINUTES

Frank Mazza, Mayor opened the meeting shortly after the re-organization meeting.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

Roll Call – Present: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. J. Peter Jost, Esq., Township Attorney; Grace M. Brennan, CFO; and K. Judith Fabian, Township Clerk, were also present.

APPROVAL OF MINUTES – Regular Meeting & Executive Session 12/20/06; motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to adopt the Minutes. Vote – Ayes: Mr. Haynes, Mrs. Dziubek and Mr. Mazza. Abstain: Mr. Severino and Mrs. Nargi. Motion carried.

REPORTS RECEIVED –

1. Tax Collector	12/06
2. Zoning Officer	2006 Activity Report
3. Finance Officer	Claims Register 1/3/07

After a brief discussion, motion was made by Mrs. Nargi, seconded by Mr. Haynes, to request the Zoning Officer submit monthly reports. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Mr. Jost noted the Chairman of the Union Township Environmental Commission is a mayor’s appointment. Mr. Mazza appointed Bob Nargi, Chairman of the Environmental Commission.

CORRESPONDENCE – Mrs. Dziubek mentioned the notice from the Highlands Council of the 1/16/07 meeting regarding the Draft Regional Master Plan. Mr. Severino and Mr. Mazza will attend.

Mr. Mazza mentioned the following: - resolution from the Highlands Council. Mr. Jost will review; - Renter, Mr. Markota has moved out; however, 2 air conditioner units remain (to be removed at a future date); he and Mr. Severino will do an inspection of said property and that of Hoffman house; - letter from NJDOT regarding damage done to Baptist Church Rd.

OLD BUSINESS – 1. Mrs. Dziubek mentioned COAH responsibility/issues – after a brief discussion, it was agreed to invite Mary Beth Lonergan, PP to attend the next Township Committee meeting.

2. Mrs. Dziubek mentioned the Township’s website – it needs updating/housekeeping; not structure of content. She will proceed.

NEW BUSINESS – 1. Aladdin Kennel; 2007 Kennel License Renewal; - Mr. Jost reviewed the application and map; no change from last year. Motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to renew Aladdin Kennel License for 2007. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

2. The following resolution was introduced for adoption:

**RESOLUTION #2007-20
2007 ANIMAL CONTROL SERVICE CONTRACT**

WHEREAS, there exists a need for an animal control company to render services to the Township of Union in various animal control activities; and

WHEREAS, the Township has provided funds for such services and said funds have been certified as being available by the Certified Finance Officer; and

WHEREAS, The Hunterdon Humane Animal Shelter has a professional animal control program and has expressed a willingness to offer said services;

THEREFORE, be it resolved by the Township Committee of the Township of Union to enter into Contract with The Hunterdon Humane Animal Shelter for the 2007 calendar year.

Motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

3. Mr. Mazza read the following ordinance by title as follows and introduced same for 1st reading:

ORDINANCE #2007-___

CALENDAR YEAR 2007

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Union in the County of Hunterdon finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee of the Township of Union hereby determines that a 1 % increase in the budget for said year, amounting to \$21,045.99 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee of the Township of Union hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Union, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Township of Union shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$73,660.97, and that the CY 2007 municipal budget for the Township of Union be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mrs. Brennan explained aspects of the ordinance.

Motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to adopt the above ordinance on 1st reading. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

4. The following resolution was introduced for adoption:

RESOLUTION #2007-21

2007 EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, N.J.S.A.40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2007 budget, temporary emergency appropriations can be made for the purpose and amounts required in the manner and time therein provided;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that the following appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for her records:

EMERGENCY TEMPORARY APPROPRIATIONS 2007

Note Interest	\$242,170.43
Note Principal	<u>503,914.00</u>
TOTAL	\$746,084.43

After a brief discussion, motion was made by Mr. Haynes, seconded by Mrs. Dziubek, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mrs. Dziubek and Mr. Mazza. Abstain: Mr. Severino and Mrs. Nargi. Motion carried.

5. Use of Public Facilities Application; Union Township Cub Scouts Pack 119; 1/18/07; after a brief discussion, motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, to approve said application. Vote – Ayes: Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Abstain: Mr. Haynes. Motion carried.

6. After a brief discussion, the following resolution was introduced for adoption:

RESOLUTION #2007-22
COOPERATIVE PRICING QUOTATION SOLICITATION – DEER CARCASS REMOVAL
SERVICES WITH THE COUNTY OF HUNTERDON

WHEREAS, John P. Davenport, III, Director, Purchasing Department, County of Hunterdon has indicated Hunterdon County has taken the lead role and responsibility for soliciting quotations for deer carcass removal services from January 1, 2007 to June 30, 2007; and

WHEREAS, this will result in a cost saving for Union Township;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union to accept the offer of Hunterdon County for the cooperative pricing quotation solicitation and award the quote of \$42.00/per carcass for pick up on Township streets/roads to Deer Carcass Removal, Attn: George Wilhelm, PO Box 328, Cream Ridge, NJ 08514.

Motion was made by Mrs. Dziubek, seconded by Mr. Haynes, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

ATTORNEY'S REPORT – Mr. Jost mentioned the following: a) 2007 Professional Services Contract; Auditor; Suplee, Clooney & Company; Contract documents are in order. The following resolution was introduced for adoption:

RESOLUTION #2007-23
AUTHORIZING THE AWARD OF A
2007 PROFESSIONAL SERVICES RESOLUTION/AUDITOR:
SUPLEE, CLOONEY & COMPANY

WHEREAS, there exists a need for a municipal Auditor as a non-fair and open contract pursuant to provisions of N.J.S.A.19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, SUPLEE, CLOONEY & COMPANY has submitted a proposal dated January 3, 2007, indication they will provide the auditor services for the anticipated fee of \$26,900.00; and

WHEREAS, SUPLEE, CLOONEY & COMPANY has completed and submitted a Business Entity Disclosure Certification which certified that SUPLEE, CLOONEY & COMPANY has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit SUPLEE, CLOONEY & COMPANY from making any reportable contributions through the term of the contract; and

WHEREAS, the required certificate for the availability of funds has been filed by the Chief Financial Officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C.5:30-14.5 and that fees for the aforementioned auditing and non-auditing services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, authorizes the Mayor and Clerk of the Township of Union to enter into a contract with SUPLEE, CLOONEY & COMPANY as described herein as auditors on and in behalf of the Township of Union for the year **2007**; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official Township newspaper and a copy of this Resolution shall be forwarded to SUPLEE, CLOONEY & COMPANY, the Township Clerk and the Township Financial Officer.

Motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, to adopt the above resolution and to authorize the Mayor and Clerk to sign the Contract based on the recommendation of the Township Attorney. Vote – Ayes: Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Naye: Mr. Haynes. Motion carried.

b) Township Attorney's 2007 Professional Services Contract: The following resolution was introduced for adoption:

RESOLUTION #2007-24
RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2007;
J. PETER JOST, ESQ.

WHEREAS, the Township of Union has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, anticipated term of this contract is one year; and

WHEREAS, J. PETER JOST, ESQ. has submitted a proposal indicating he will be paid a salary of \$13,800.00 per year and the fee for all other legal services rendered shall be \$160.00 per hour; and

WHEREAS, J. PETER JOST, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that J. PETER JOST, ESQ. has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit J. PETER JOST, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Legal Services, OE; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee authorizes the Mayor and Clerk to enter into a contract with J. PETER JOST, ESQ. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a Notice of this action shall be printed once in the official newspaper of this municipality.

Motion was made by Mrs. Nargi, seconded by Mr. Severino, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

- the Douglass property/house has not been officially preserved; the house needs to be winterized; options briefly discussed.

- mentioned a proposed ordinance that would prohibit the placing of leaves/sticks in the roads.

- Brian Plushanski has offered the use of a ball field to the Township's recreation program at no cost; options discussed.

- he had a matter for an Executive Session.

MAYOR'S REPORT – Mr. Mazza mentioned the truck parking on State Highway 173; Mr. Jost will follow up on drafting an ordinance.

COMMITTEE REPORT – Mrs. Nargi asked Mr. Jost about the timing for Committee members to receive meeting materials (prior to meetings). Mr. Jost responded there is no formal time frame.

Mr. Haynes for matter(s) for Executive Session.

Briefly discussed – the processing of Vouchers for payment (2 signatures).

COMMENTS FROM THE PUBLIC – Bruce Rossi.

CLERK'S REPORT – Mrs. Fabian mentioned the following: notice to central alarm company and her retirement as of March 2, 2007.

PAYMENT OF BILLS – Mrs. Dziubek moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof, seconded by Mrs. Nargi. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

The following resolution was introduced for adoption:

**RESOLUTION
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: **Litigation/Personnel.**

Motion was made by Mrs. Dziubek, seconded by Mr. Haynes, to adopt the above resolution. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Motion was made by Mr. Severino, seconded by Mr. Haynes, to return to the regular meeting. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Motion was made by Mrs. Dziubek, seconded by Mrs. Nargi, that the Clerk will send a Memo to all Township employees that claims/vouchers for mileage and other expenses must be submitted within 30 days of incurring such expenses to be considered for payment by the Township Committee. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, motion was made by Mr. Haynes, seconded by Mr. Dziubek, to adjourn. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Nargi, Mrs. Dziubek and Mr. Mazza. Motion carried.

Meeting adjourned at approximately 10:25 p.m.

Respectfully submitted,

K. Judith Fabian, RMC
Township Clerk